

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
<i>Plaintiff</i>	)	
	)	
v.	)	Case No. 4:21-cr-00005-O-1
	)	
THE BOEING COMPANY,	)	
	)	
<i>Defendant.</i>	)	
_____	)	

**APPENDIX IN SUPPORT OF MOTION OF NAOISE CONNOLLY RYAN, AS REPRESENTATIVE OF MICHAEL RYAN; EMILY CHELANGAT BABU AND JOSHUA MWAZO BABU, AS REPRESENTATIVES OF JARED BABU MWAZO; CATHERINE BERTHET, AS REPRESENTATIVE OF CAMILLE GEOFFROY; HUGUETTE DEBETS, AS REPRESENTATIVE OF JACKSON MUSONI; LUCA DIECI, AS REPRESENTATIVE OF PAOLO DIECI; BAYIHE DEMISSIE, AS REPRESENTATIVE OF ELSABET MINWUYELET WUBETE; SRI HARTATI, AS REPRESENTATIVE OF ERYANTO; ZIPPORAH KURIA, AS REPRESENTATIVE OF JOSEPH KURIA WAITHAKA; JAVIER DE LUIS, AS REPRESENTATIVE OF GRAZIELLA DE LUIS Y PONCE; NADIA MILLERON AND MICHAEL STUMO, AS REPRESENTATIVES OF SAMYA STUMO; CHRIS MOORE, AS REPRESENTATIVE OF DANIELLE MOORE; PAUL NJOROGI, AS REPRESENTATIVE OF CAROLYNE NDUTA KARANJA, RYAN NJUGUNA NJOROGI, KELLI W. PAULS, AND RUBI W. PAULS; YUKE MEISKE PELEALU, AS REPRESENTATIVE OF RUDOLF PETRUS SAYERS; JOHN KARANJA QUINDOS, AS REPRESENTATIVE OF ANNE WANGUI KARANJA; GUY DAUD ISKANDAR ZEN S., AS REPRESENTATIVE OF FIONA ZEN; AND OTHER SIMILARLY SITUATED REPRESENTATIVES OF THE VICTIMS OF THE CRASHES OF LION AIR FLIGHT JT610 AND ETHIOPIAN AIRLINES FLIGHT ET302 UNDER THE CRIME VICTIMS' RIGHTS ACT FOR FINDINGS THAT THE PROPOSED BOEING DEFERRED PROSECUTION AGREEMENT WAS NEGOTIATED IN VIOLATION OF THE VICTIMS' RIGHTS AND FOR REMEDIES FOR THOSE VIOLATIONS**

Movants Victims' Families submit this Appendix in Support of its Motion under the Crime Victims' Rights Act for Findings that the Proposed Boeing Deferred Prosecution Agreement was Negotiated in Violation of the Victims' Rights

and for Remedies for those Violations.

<b>Exhibit No.</b>	<b>Description</b>	<b>Appendix Page Range</b>
<b>1</b>	Affidavit of Naoise Ryan re Lack of Conferral by the Justice Department, dated Dec. 6, 2021.	Appx. 001 – Appx. 003
<b>2</b>	Affidavit of Emily Chelangat Babu and Joshua Mwazo Babu re Lack of Conferral by the Justice Department, dated Dec. 9, 2021.	Appx. 004 – Appx. 006
<b>3</b>	Affidavit of Catherine Berthet re Lack of Conferral by the Justice Department, dated Dec. 8, 2021.	Appx. 007 – Appx. 009
<b>4</b>	Affidavit of Huguette Debets re Lack of Conferral by the Justice Department, dated Dec. 8, 2021.	Appx. 010 – Appx. 013
<b>5</b>	Affidavit of Bayihe Demissie Tegegn re Lack of Conferral by the Justice Department, dated Dec. 9, 2021.	Appx. 014 – Appx. 016
<b>6</b>	Affidavit of Luca Dieci re Lack of Conferral by the Justice Department, dated Dec. 8, 2021.	Appx. 017 – Appx. 019
<b>7</b>	Affidavit of Sri Hartati re Lack of Conferral by the Justice Department, dated Dec. 7, 2021.	Appx. 020 – Appx. 022
<b>8</b>	Affidavit of Zipporah Muthoni Kuria re Lack of Conferral by the Justice Department, dated Dec. 9, 2021.	Appx. 023 – Appx. 025
<b>9</b>	Affidavit of Javier de Luis re Lack of Conferral by the Justice Department, dated Dec. 8, 2021.	Appx. 026 – Appx. 028
<b>10</b>	Affidavit of Nadia Milleron and Michael Stumo re Lack of Conferral by the Justice Department, dated Dec. 11, 2021.	Appx. 029 – Appx. 044
<b>11</b>	Affidavit of Chris Moore re Lack of Conferral by the Justice Department, dated Dec. 8, 2021.	Appx. 045 – Appx. 048
<b>12</b>	Affidavit of Paul Njoroge re Lack of Conferral by the Justice Department, dated Dec. 8, 2021.	Appx. 049 – Appx. 051
<b>13</b>	Affidavit of Yuke Meiske Peleualu re Lack of Conferral by the Justice Department, dated Dec. 12, 2021.	Appx. 052 – Appx. 054
<b>14</b>	Affidavit of John Karanja Quindos re Lack of Conferral by the Justice Department, dated Dec. 6, 2021.	Appx. 055 – Appx. 058

Exhibit No.	Description	Appendix Page Range
15	Affidavit of Guy Daud Iskander Zen S. re Lack of Conferral by the Justice Department, dated Dec. 7, 2021.	Appx. 059 – Appx. 061
16	Affidavit of Thomas Gallagher re Lack of Conferral by the Justice Department, dated Dec. 9, 2021.	Appx. 062 – Appx. 076
17	Aviation Safety and the Future of Boeing’s 737 Max transcription excerpt, dated Oct. 29, 2019.	Appx. 077 – Appx. 083

Respectfully submitted,

/s/ Warren T. Burns

Warren T. Burns (Texas Bar No. 24053119)  
Burns Charest, LLP  
900 Jackson Street  
Suite 500  
Dallas, TX 75202  
469-904-4550  
wburns@burnscharest.com



Paul G. Cassell (Utah Bar No. 06078)  
(Counsel of Record)  
Utah Appellate Project  
S.J. QUINNEY COLLEGE OF LAW  
University of Utah  
383 S. University St.  
Salt Lake City, UT 84112  
801-585-5202  
cassellp@law.utah.edu  
(no institutional endorsement implied)  
(*pro hac vice* application to be filed)

*Attorneys for Victims' Families*

**CERTIFICATE OF SERVICE**

I certify that on December 16, 2021, the foregoing document was served on the parties to the proceedings via the court's CM/ECF filing system.

/s/ Warren T. Burns  
Warren T. Burns